

State of New Mexico
ENVIRONMENTAL IMPROVEMENT BOARD
Harold Runnels Building, N-2150
1190 St. Francis Drive, P. O. Box 5469
Santa Fe, New Mexico 87502

MINUTES
Environmental Improvement Board Meeting
July 11, 2014
9:00 a.m.
Room 307, State Capitol Building
490 Old Santa Fe Trail
Santa Fe, New Mexico 87501

Members Present: Deborah Peacock, Chair
Greg Fulfer, Member
James Casciano, Member
Matthew Holt, Member
John Volkerding, Vice Chair
Elizabeth Ryan, Secretary

Member Absent: Timothy Morrow, Member

Others Present: Joseph M. Dworak, Board Counsel
Pam Castañeda, Administrator
Others—please see the attached sign-in sheets

Item 1. Roll Call

Roll was called; a quorum was present.

Ms. Peacock introduced Joseph Dworak with the Attorney General's Office as the new counsel representing the EIB.

Item 2. How Notice Requirements Were Met

Ms. Castañeda described how notice requirements were met for the meeting consistent with the Board's Open Meetings Act Resolution.

Item 3. Approval of Agenda

Action: Ms. Ryan moved to approve the agenda. Mr. Holt seconded. The motion passed unanimously.

Item 4. Approval of meeting minutes March 21, 2014

Action: Mr. Holt moved Board approval of the meeting minutes as presented. Mr. Casciano seconded the motion. The motion passed unanimously.

Item 5. Public Comment Unrelated to Agenda Items

Action: Mr. Dye, with the Los Alamos National Laboratories, who is in charge of the above ground storage tank program gave public comment regarding the difficulties doing business under the Petroleum Storage Tank regulations 20.5 of the New Mexico Administrative Code part 14 which requires certified installers to install tanks. The Los Alamos Laboratories are trying to replace a tank with an existing tank and they are unable to find someone that is certified in New Mexico. Mr. Dye proposed that the Board and the New Mexico Environment consider some changes to the regulations and to have a lesser category for a tank repair person. He doesn't see the need for them to be certified to do repairs.

Item 6. Hearing in EIB 14-01 (R), regarding the Proposed Revisions to 20.2.74 NMAC-Permits-Prevention of Significant Deterioration (PSD).

Action: The hearing in EIB 14-01 (R) was recorded and transcribed by Cheryl Arreguin of Kathy Townsend Court Reporters. The transcript is available from the Board Administrator.

Mr. Casciano moved to approve the changes recommended by the New Mexico Environment Department. Mr. Volkerding seconded. The motion passed with one opposition by Ms. Ryan. Ms. Peacock moved to adopt the Statement of Reasons as proposed by the NM Environment Department with suggested amendments by Ms. Peacock, Mr. Holt and Ms. Ryan. Mr. Holt moved approval of the changes. Mr. Fulfer seconded. The motion passed unanimously.

Item 7. Hearing in EIB 14-02 (R), Proposed Revisions to 20.2.12 NMAC-Cement Kilns.

Action: The hearing in EIB 14-02 (R) was recorded and transcribed by Cheryl Arreguin of Kathy Townsend Court Reporters. The transcript is available from the Board Administrator.

Mr. Holt moved to adopt the repeal and revisions proposed by the New Mexico Environment Department. Ms. Ryan seconded. The motion passed unanimously. Ms. Peacock moved to adopt the Order and Statement of Reasons of regulatory changes as proposed by the NM Environment Department and modified during the deliberations by the EIB. Ms. Ryan seconded. The motion passed unanimously.

Item 8. Hearing in EIB 14-03 (R), Proposed Repeal and Replacement of 20.2.99 NMAC-Conformity to the State Implementation Plan of Transportation Plans, Programs, and Projects.

Action: The hearing in EIB 14-03 (R) was recorded and transcribed by Cheryl Arreguin of Kathy Townsend Court Reporters. The transcript is available from the Board Administrator.

Ms. Peacock moved to accept the proposed rule by the New Mexico Environment Department in exhibit 6. Mr. Holt proposed to repeal the current existing 20.2.99 and adopt what had been proposed by the New Mexico Environment Department subject to the revisions proposed by Ms. Peacock regarding the addition of the definition for milestone. Mr. Casciano seconded. The motion passed unanimously. Ms. Peacock moved to adopt the New Mexico Environment Department's proposal of statement of reasons for adoption of the SIP revisions with the changes as suggested by the EIB. Mr. Holt moved the adoption. Ms. Ryan seconded. The motion passed unanimously.

Item 9. Hearing in EIB 14-04 (R), Proposed Amendments to 20.7.3 NMAC-Liquid Waste Disposal and Treatment.

Action: The hearing in EIB 14-03 (R) was recorded and transcribed by Cheryl Arreguin of Kathy Townsend Court Reporters. The transcript is available from the Board Administrator.

Mr. Bassett and Mr. Dotson gave public comment.

Ms. Ryan moved to adopt the New Mexico Department's amendments with the deletion of the word "in" in paragraph K. Mr. Fulfer seconded. The motion passed unanimously. Ms. Peacock moved to adopt the statement of reasons as proposed by the Chair and as amended by the EIB. Ms. Ryan moved for adoption. Mr. Holt seconded. The motion passed unanimously.

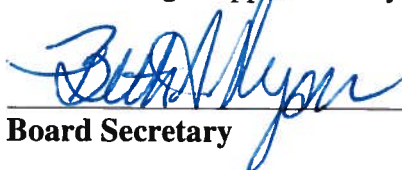
Item 10: Board Member Comments and Questions

Action: No comments or questions.

Item 11. Next Meeting: To be scheduled

Item 12. Adjournment

Ms. Peacock adjourned the meeting at approximately 1:56 p.m.



Board Secretary